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SENATE BILL 840

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Timothy Z. Jennings

AN ACT

RELATING TO PUBLIC ASSISTANCE; PROVIDING FOR MEDICAID  
REIMBURSEMENT AT THE MEDICARE PART B RATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 27-2-12.3 NMSA 1978 (being Laws 1987,  
Chapter 269, Section 1, as amended) is amended to read:

"27-2-12.3. MEDICAID REIMBURSEMENT--EQUAL PAY FOR EQUAL  
PHYSICIANS', DENTISTS', OPTOMETRISTS', PODIATRISTS' AND  
PSYCHOLOGISTS' SERVICES. --

A. The human services department shall establish a  
rate, of not less than the rate for medicare part B services,  
for the reimbursement of physicians, dentists, optometrists,  
podiatrists and psychologists for services rendered to medicaid  
patients that provides equal reimbursement for the same or  
similar services rendered without respect to the date on which

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1 such physician, dentist, optometrist, podiatrist or  
2 psychologist entered into practice in New Mexico, the date on  
3 which the physician, dentist, optometrist, podiatrist or  
4 psychologist entered into an agreement or contract to provide  
5 such services or the location in which such services are to be  
6 provided in the state; provided, however, that, except as  
7 provided in Subsection C of this section, the requirements of  
8 this section shall not apply when the human services department  
9 contracts with entities pursuant to Section 27-2-12.6 NMSA 1978  
10 to negotiate a rate for the reimbursement for services rendered  
11 to medicaid patients in the medicaid managed care system.

12 B. On July 1, 2006 and on July 1 of each subsequent  
13 year, the human services department shall increase the  
14 reimbursement rate established pursuant to Subsection A of this  
15 section. In determining the annual percentage increase, the  
16 department shall take into consideration factors that affect  
17 the cost of providing services, including increases in medical  
18 liability premiums and office overhead.

19 C. All reimbursements for fee for service and  
20 managed care services shall include the gross receipts taxes  
21 paid."

22 Section 2. EFFECTIVE DATE. --The effective date of the  
23 provisions of this act is July 1, 2005.